THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.11761 of 2006

Dated: 15.06.2006

Between:

J. Hari Kumar, S/o Sanyasi Rao, Assistant Manager, Visakhapatnam Steel Plant, Visakhapatnam and others.

.... PETITIONERS

AND

M/s. Rashtriya Ispat Nigam Ltd., rep. by its Chairman-cum-

Managing Director, Ukkunagaram, Visakhapatnam Steel Plant,

Visakhapatnam and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

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Writ Petition No.11761 of 2006

Order:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in not according two years of notional seniority to the petitioners with effect from June, 2005, as illegal and arbitrary, and consequently to direct the respondents to promote them in the post of Executive E-3 Category.

The petitioners state that in the month of June 1997, without considering their cases, the respondents interviewed and promoted similarly situated employees to EO Cadre. However, the petitioners were given promotions only in the month of June 1999 i.e., after lapse of two years. It is stated that by virtue of this default of the respondents, the petitioners for no fault of theirs, have lost two years of valuable

service, and that if the said two years is considered, the petitioners would have been promoted to E-3 category in the month of June, 2005. Hence, they submitted several representations, the latest of which is dated 23.05.2006, requesting the respondents to accord at least notional seniority. But, the respondents neither considered the said representations nor passed any orders. Hence, they filed the present writ petition.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents. Both the counsel agreed to dispose of the writ petition with a direction to the respondents to consider the representations of the petitioners.

Since the representations of the petitioners, the latest of which is dated 23.05.2006, is said to be pending consideration before the respondents, and in view of the agreed stand taken by both the counsel, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions:

The respondents are directed to consider the representation dated 23.05.2006 of the petitioners, and pass appropriate orders thereon, in accordance with law, expeditiously, and communicate the decision to the petitioners.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 15.06.2006

Nsr/Ksr